

# U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

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Strategic Plan for  
Fiscal Years 2018–2022



# Table of Contents

Message from the Commission..... 1

Introduction ..... 2

The Strategic Planning Process ..... 3

About the EEOC ..... 4

Mission and Vision Statements..... 8

Strategic Plan Diagram..... 9

Strategic Objective I ..... 11

Strategic Objective II ..... 18

Management Objective ..... 23

External Factors Affecting Achievement of the Strategic Plan ..... 28

Program Evaluations ..... 29

Acknowledgments..... 30

Appendix A — Strategic Plan Workgroups ..... 31

Appendix B — Organization Chart ..... 33

Endnotes..... 34



## Message from the Commission

The United States Equal Employment Opportunity Commission (EEOC) is pleased to release the agency's Strategic Plan for Fiscal Years 2018–2022. This Strategic Plan will guide the agency as we fulfill our mission of preventing and remedying unlawful employment discrimination and advancing equality of opportunity in the workplace. The work of the Commission depends on the daily efforts of approximately 2,200 dedicated personnel, located in its headquarters and 53 field offices across the nation, to carry out the agency's mission. In creating the Strategic Plan, we sought the input of all members of the EEOC workforce in addition to the agency's leadership. We also solicited and received comments from a wide range of stakeholders and the public. As a result, the plan is a true reflection of the agency and all those who share an interest in our mission.

Three values underlie the Strategic Plan, form the basis of our agency culture, and guide our daily work.

- Commitment to Equal Employment Opportunity
- Accountability
- Integrity

**Commitment to Equal Employment Opportunity:** Congress entrusted the Commission with the responsibility of enforcing the nation's employment non-discrimination laws. These laws reflect Congress' vision of equal opportunity in our nation's workplaces. To honor the trust that has been given us, we must have an unwavering commitment to carrying out that vision.

**Accountability:** Like all federal agencies, the EEOC is accountable to the public it serves. We must therefore continue to demand excellence in ourselves and have systems in place to hold us accountable for that excellence. To this end, the Commission must ensure that the resources entrusted to us are used to advance the agency's mission, that the EEOC workforce has adequate training, and that the agency's processes are consistent and periodically evaluated and updated.

**Integrity:** The Commission has an obligation to be objective as it investigates charges in the private sector and adjudicates cases in the federal sector. If we conclude that unlawful discrimination has occurred, we have an obligation to advance the public interest and work to remedy the harm caused by discrimination. We also have an obligation to be an impartial adjudicator in federal sector cases. Moreover, every person we serve or interact with in the performance of our work and every member of the EEOC workforce is entitled to be treated with respect, courtesy, and professionalism.

In keeping with these values, the Strategic Plan builds on the Commission's past successes, yet challenges us to do more. It requires us to take a critical look at what we have accomplished thus far and explore where there is room to improve. The plan prioritizes a coordinated, holistic approach to law enforcement, recognizing that operational and substantive silos have sometimes hampered the agency's efforts to prevent and remedy unlawful discrimination. Moreover, the plan emphasizes the importance of excellent customer service, while also focusing on our most valuable resource — the EEOC workforce — by prioritizing the importance of equipping and training our employees to provide that service.

...the Strategic Plan builds on the Commission's past successes, yet challenges us to do more.



## Introduction

Equal opportunity for all is one of our nation's most cherished and hard-fought values. Since 1965, the United States Equal Employment Opportunity Commission ("the EEOC," "the agency," or "the Commission") has been the leading federal law enforcement agency dedicated to preventing and remedying employment discrimination and advancing equal opportunity for all in the workplace. The Strategic Plan for Fiscal Years 2018–2022 ("the Strategic Plan") establishes a framework for achieving the EEOC's mission to "Prevent and remedy unlawful employment discrimination and advance equal opportunity for all in the workplace," so that the nation might soon realize the Commission's vision of "Respectful and inclusive workplaces, with equal employment opportunity for all."

To accomplish this mission and achieve this vision, the EEOC is committed to pursuing the following strategic objectives and outcome goals:

1. **Combat and prevent employment discrimination through the strategic application of EEOC's law enforcement authorities.** The corresponding outcome goals are: 1) Discriminatory employment practices are stopped and remedied, and victims of discrimination receive meaningful relief; and 2) Enforcement authorities are exercised fairly, efficiently, and based on the circumstances of each charge or complaint.
2. **Prevent employment discrimination and promote inclusive workplaces through education and outreach.** The corresponding outcome goals are: 1) Members of the public understand the employment discrimination laws and know their rights and responsibilities under these laws; and 2) Employers, unions, and employment agencies (covered entities) prevent discrimination, effectively address EEO issues, and support more inclusive workplaces.
3. **Organizational Excellence.** The corresponding outcome goals are: 1) A culture of excellence, respect and accountability; and 2) Resources align with priorities to strengthen outreach, education, enforcement and service to the public.

The plan also presents clear and realistic strategies for achieving each outcome goal and identifies 12 performance measures (with yearly targets) to track the EEOC's progress as it approaches FY 2022.

## The Strategic Planning Process

The United States Congress requires executive departments, government corporations, and independent agencies to develop and post a Strategic Plan on their public websites every four fiscal years. The plan must include at least the following:

- A mission statement covering the major functions and operations of the agency;
- General goals and objectives, including outcome-oriented goals, for the agency;
- A description of how these goals and objectives are to be achieved; and
- An identification of key factors external to the agency and beyond its control that could significantly affect the achievement of its general goals and objectives.

Congress also requires that the head of each agency issue an annual performance plan covering each program activity set forth in the agency's budget. This performance plan must establish performance goals that define the level of performance that will be achieved during the year in which the plan is submitted and the next fiscal year; express such goals in an objective, quantifiable, and measurable form; describe how the performance goals will contribute to the general goals and objectives established in the agency's Strategic Plan; and finally, describe how the performance goals will be achieved. In addition, the performance plan must establish a balanced set of performance indicators to be used in measuring or assessing progress toward each performance goal; provide a basis for comparing actual program results with the established performance goals; describe how the agency will ensure the accuracy and reliability of the data used to measure progress towards its performance goals; and describe major management challenges the agency faces and identify how the agency plans to address them.

The development of a four-year Strategic Plan and annual performance plans require the leadership of an agency to reflect upon the statutory mission of the agency, reassess prior goals and objectives, and identify any new goals and objectives that will enable the agency to meet its statutory mission. The plans also alert Congress and stakeholders to key factors external to the agency that may affect the agency's ability to carry out its mandate.



Together, these laws protect individuals from employment discrimination (including unlawful harassment) based on race, color, religion, sex, national origin, age, disability, and genetic information.

## About the EEOC

The United States Equal Employment Opportunity Commission was established by Title VII of the Civil Rights Act of 1964 ("Title VII") and began operating on July 2, 1965. The mandate and authority of the EEOC was set forth in Title VII and expanded in later laws enacted by Congress. During the past 53 years, our jurisdiction has grown and now includes the following areas:

- **Title VII of the Civil Rights Act of 1964 (Title VII)**, as amended, prohibits employment discrimination based on race, color, religion, sex, and national origin.
- **The Age Discrimination in Employment Act of 1967 (ADEA)**, as amended, prohibits employment discrimination against workers age 40 and older.
- **The Pregnancy Discrimination Act of 1978 (PDA)** amended Title VII to clarify that discrimination based on pregnancy, childbirth, or related medical conditions constitutes sex discrimination and requires employers to treat women affected by pregnancy and pregnancy-related medical conditions the same as any other employees with temporary disabilities with respect to terms and conditions of employment, including health benefits.
- **The Equal Pay Act of 1963** (included in the Fair Labor Standards Act) (EPA), as amended, prohibits sex discrimination in the payment of wages to men and women performing substantially equal work in the same establishment.
- **Titles I and V of the Americans with Disabilities Act of 1990 (ADA)**, as amended, prohibit employment discrimination based on disability by private and state and local government employers. Section 501 and 505 of the Rehabilitation Act of 1973 provide the same protections for federal employees and applicants for federal employment.
- **Title II of the Genetic Information Nondiscrimination Act of 2008 (GINA)**, prohibits employment discrimination based on an applicant's or employee's genetic information (including family medical history).

Together, these laws protect individuals from employment discrimination (including unlawful harassment) based on race, color, religion, sex, national origin, age, disability, and genetic information. They also make it illegal to retaliate against a person for opposing employment discrimination, filing a charge of discrimination, or participating in an investigation or lawsuit regarding employment discrimination. Finally, provisions in the ADA, the Rehabilitation Act, and GINA strictly limit covered entities from obtaining health-related information from applicants and employees and require that any genetic or medical information a covered entity has about an applicant or employee be kept confidential.

Most of these laws apply to private and state and local government employers with 15 or more employees, labor organizations, employment agencies, and the federal government (covered entities). (The ADEA applies to state and local governments and to employers with 20 or more employees; there is no minimum employee requirement under the EPA.) Title VII and Executive Order 12067 also authorize the EEOC to coordinate and lead the federal government's efforts to combat workplace discrimination.



## **Leadership**

The Commission is composed of five members, not more than three of whom may be members of the same political party. Members of the bipartisan Commission are appointed by the President and confirmed by the Senate for a set term of five years. The President designates one member of the Commission to serve as Chair. The Chair is responsible, on behalf of the Commission, for the administrative operations of the agency.

The EEOC's General Counsel is also appointed by the President and confirmed by the Senate for a term of four years. The General Counsel is responsible for the conduct of litigation pursuant to the agency's statutory authorities.

## **Enforcement**

**Private and State and Local Government Sectors.** There are two major enforcement mechanisms available to the EEOC in the private and state and local government sectors. The first is the investigation and conciliation (also called the "administrative process") of charges brought by an individual or by a Commissioner alleging discrimination. The second is the litigation process — the bringing of individual, class, and systemic, including pattern or practice, cases, in federal court against a covered entity who the Commission believes has violated one or more of the laws the EEOC enforces.

An individual may file a private discrimination lawsuit against a covered entity under the laws enforced by the EEOC, when the EEOC chooses not to do so; however, he or she must first file a charge of discrimination with the agency. (The person filing a charge is generally known as a "charging party" and the organization against whom the charge is filed is known as a "respondent.") Congress created this administrative exhaustion requirement to provide the EEOC with the opportunity to determine if there is reasonable cause to believe discrimination has occurred and to provide an opportunity for voluntary resolution where possible. A member of the Commission may also file a charge alleging discrimination under Title VII, the ADA or GINA, known as a Commissioner Charge. In addition, the EEOC may initiate directed investigations under the EPA and the ADEA. No charging party is required for a Commissioner Charge or an agency-initiated directed investigation; however, both are filed on behalf of aggrieved individuals.

Since 1995, the EEOC has offered an alternative dispute resolution ("ADR") process to resolve certain charges prior to the initiation of any investigation. The respondent and charging party are invited to voluntarily mediate these charges. During mediation, the focus of attention is not on whether the law has been violated, but rather, whether the issue can be resolved to the parties' mutual satisfaction.

Charges not resolved in mediation are investigated to determine if there is reasonable cause to believe discrimination has occurred. The EEOC is authorized to issue administrative subpoenas in aid of its investigations. If reasonable cause is found, the agency provides the respondent an opportunity to remedy the discriminatory practice(s) through conciliation.



If the matter is not successfully conciliated, the agency is authorized to bring a civil action against the respondent in federal court. If the respondent is a state or local employer and the case is under Title VII, the ADA, or GINA, the U.S. Attorney General is authorized to sue. A charging party may also intervene in cases under Title VII, the ADA or GINA where the government pursues litigation. The agency and the Attorney General are also authorized to issue Notices of Right to Sue to charging parties who wish to institute private litigation under Title VII, the ADA, or GINA. Notices of Right to Sue are not necessary for a charging party to file suit under the ADEA or EPA.

Congress has also authorized the agency to cooperate with state and local Fair Employment Practices Agencies (FEPAs), which are responsible for administering state or local fair employment laws, and to enter into agreements with these agencies to undertake investigations and conciliations of charges that would otherwise be investigated and conciliated by the EEOC. The EEOC currently has work sharing agreements with 92 state and local FEPAs. FEPAs resolved more than 36,000 employment discrimination charges in FY 2016.

The agency also annually contracts with about 64 Tribal Employment Rights Organizations (TEROs) providing funds that allow them to advocate for Native American employment and Native American preference with employers on or near their reservations or lands.

**Federal Government Sector.** Title VII and subsequent employment discrimination laws guarantee that “[a]ll personnel actions” affecting employees or applicants for employment by the federal agencies “shall be made free from any discrimination” based on race, color, religion, sex, national origin, age, disability or genetic information. Federal employees are also protected against retaliation for complaining about discrimination, filing a complaint of discrimination, or participating in an employment discrimination investigation or lawsuit, and the restrictions on the acquisition and disclosure of genetic and other medical information that apply to private and state and local government employers under the ADA and GINA also apply to federal agencies. The EEOC is charged with both adjudicatory and oversight responsibilities regarding this guarantee.

A federal employee or applicant (“the complainant”) who believes he or she has been subjected to unlawful employment discrimination must first contact his or her agency’s equal employment opportunity (“EEO”) counselor, who will provide the complainant with the choice of participating either in EEO counseling or in a federal alternative dispute resolution (“ADR”) program. If the matter is not settled during counseling or through ADR, the complainant may file a formal complaint with his or her agency’s EEO office and the agency must investigate the complaint if it determines the complaint meets jurisdictional and other requirements. While the investigatory processes of an agency are governed by procedural regulations issued by the EEOC, an agency has full control over the investigation itself.

After the investigation, the complainant is given the option of requesting a hearing with an EEOC administrative judge (AJ) or receiving a final decision from the agency. If the complainant chooses a hearing, the administrative judge will review the claim and issue a decision. The agency must then take final action on the complaint by issuing a Final Order implementing the AJ’s decision or, if it disagrees with the AJ decision, appealing the decision to the EEOC’s Office of Federal Operations.

If the complainant chooses not to request a hearing, the agency, not the EEOC, will issue a Final Agency Decision (FAD) on the merits of the complaint. If the complainant is dissatisfied with either the AJ's decision or the FAD issued by the agency, he or she may file an appeal with EEOC's Office of Federal Operations. If either party files an appeal, the EEOC Office of Federal Operations will review the AJ or agency decision, make a formal determination, and issue a final decision. A complainant may pursue his or her claim in federal court if a final decision is not issued within 180 days of the date the complaint or the EEOC appeal was filed.

The EEOC is authorized to provide appropriate remedies to a federal complainant, including reinstatement, back pay, and damages. Relief ordered by the EEOC is binding on an agency, except in limited circumstances, and an agency may not appeal an adverse decision in federal court. A federal complainant may file a lawsuit in federal court if he or she receives an adverse decision from the EEOC.

The EEOC also has oversight responsibilities in the federal sector, with the authority to review, approve, and evaluate federal agency equal employment opportunity plans and affirmative action programs and to review and evaluate the operation of all federal agency EEO programs. The EEOC conducts comprehensive reviews of federal agencies' EEO programs and their progress toward attaining model EEO status under Management Directive 715. Each review is tailored to the individual agency's situation and may include a written workforce analysis by race, sex, national origin, and disability. A review also aids in identifying barriers to equal opportunity at an agency and helps formulate plans to eliminate such barriers. The program evaluations may be conducted on site and may result in remedial recommendations and a schedule of compliance reports.

## Education and Outreach

In addition to administrative and litigation enforcement, the EEOC is required to provide technical assistance and training regarding the laws and regulations it enforces. The EEOC fulfills this mandate in the private, state and local government, and federal sectors by conducting no-cost and fee-based outreach and technical assistance education programs. EEOC also issues a range of documents — from guidance approved by the Commission, to technical assistance or resource documents that explain existing legal requirements in non-technical language.



## MISSION AND VISION STATEMENTS

### **The EEOC's mission is to:**

Prevent and remedy unlawful employment discrimination and advance equal opportunity for all in the workplace.

### **The EEOC's vision is:**

Respectful and inclusive workplaces with equal employment opportunity for all.

# STRATEGIC PLAN DIAGRAM

MISSION		VISION
Prevent and remedy unlawful employment discrimination and advance equal opportunity for all in the workplace.		Respectful and inclusive workplaces with equal employment opportunity for all.
<b>STRATEGIC OBJECTIVE I</b> <p>Combat and prevent employment discrimination through the strategic application of EEOC's law enforcement authorities.</p> <p><b>Outcome Goal I.A:</b> Discriminatory employment practices are stopped and remedied, and victims of discrimination receive meaningful relief.</p> <p><b>Strategy I.A.1:</b> Rigorously and consistently implement the Strategic Enforcement Plan to focus resources on EEOC priorities and to integrate agency responsibilities and activities.</p> <p><b>Strategy I.A.2:</b> Use administrative and litigation mechanisms to identify and attack discriminatory policies and practices, including systemic practices.</p> <p><b>Strategy I.A.3:</b> Use EEOC decisions and oversight activities to target discriminatory policies and practices in federal agencies.</p> <p><b>Strategy I.A.4:</b> Seek remedies to end discriminatory practices and deter future discrimination.</p> <p><b>Strategy I.A.5:</b> Seek remedies that provide meaningful relief to individual victims of discrimination.</p> <p><b>Outcome Goal I.B:</b> Enforcement authorities are exercised fairly, efficiently, and based on the circumstances of each charge or complaint.</p> <p><b>Strategy I.B.1:</b> Rigorously and consistently implement the Strategic Enforcement Plan to focus resources on EEOC priorities and to integrate agency responsibilities and activities.</p> <p><b>Strategy I.B.2:</b> Rigorously and consistently implement the charge management systems for private sector and state and local government charges.</p> <p><b>Strategy I.B.3:</b> Further develop and rigorously and consistently implement a case management system for federal sector hearings and appeals.</p>	<b>STRATEGIC OBJECTIVE II</b> <p>Prevent employment discrimination and promote inclusive workplaces through education and outreach</p> <p><b>Outcome Goal II.A:</b> Members of the public understand the employment discrimination laws and know their rights and responsibilities under these laws.</p> <p><b>Strategy II.A.1:</b> Broaden the use of technology to expand our reach to diverse populations.</p> <p><b>Strategy II.A.2:</b> Target outreach to vulnerable workers and underserved communities.</p> <p><b>Outcome Goal II.B:</b> Employers, unions, and employment agencies (covered entities) prevent discrimination, effectively address EEO issues, and support more inclusive workplaces.</p> <p><b>Strategy II.B.1:</b> Utilize modern technology and media to expand our reach to employers and other covered entities.</p> <p><b>Strategy II.B.2:</b> Promote promising practices that employers can adopt to prevent discrimination in the workplace.</p> <p><b>Strategy II.B.3:</b> Target outreach to small and new employers.</p> <p>Correlated Strategies:</p> <p><b>Strategy II.A.3/II.B.4:</b> Provide up-to-date, accessible guidance and training on the requirements of employment discrimination laws.</p> <p><b>Strategy II.A.4/II.B.5:</b> Increase the knowledge of targeted audiences through focused, innovative collaborations with internal and external stakeholders</p>	<b>MANAGEMENT OBJECTIVE:</b> <p>Achieve organizational excellence.</p> <p><b>Outcome Goal III.A:</b> EEOC has a culture of excellence, respect, and accountability.</p> <p><b>Strategy III.A.1:</b> Recruit, develop, and retain skilled and committed employees.</p> <p><b>Strategy III.A.2:</b> Advance performance management to maximize organizational improvement.</p> <p><b>Strategy III.A.3:</b> Advance diversity and inclusion in the workplace.</p> <p><b>Strategy III.A.4:</b> Develop and support innovation and collaboration to foster employee engagement and morale.</p> <p><b>Strategy III.A.5:</b> Continuously implement quality practices in all programs.</p> <p><b>Strategy III.A.6:</b> Foster constructive employee and labor management relations.</p> <p><b>Strategy III.A.7:</b> Strive to model the workplace practices we promote.</p> <p><b>Outcome Goal III.B:</b> Resources align with priorities to strengthen outreach, education, enforcement, and service to the public.</p> <p><b>Strategy III.B.1:</b> Embrace and invest in technology to transform the way the EEOC serves the public and to improve productivity.</p> <p><b>Strategy III.B.2:</b> Expand the use of data and technology to support, evaluate, and improve the Agency's programs and processes.</p> <p><b>Strategy III.B.3:</b> Prioritize and actively manage available fiscal resources to best achieve our mission.</p>



## PERFORMANCE MEASURES

### STRATEGIC OBJECTIVE I

Combat and prevent employment discrimination through the strategic application of EEOC's law enforcement authorities.

#### Performance Measure 1 for Outcome Goal I.A:

By FY 2022, a significant proportion of EEOC and FEPA's resolutions contain targeted, equitable relief.

#### Sub-Measure 1a:

By FY 2022, TBD% of EEOC's resolutions contain targeted, equitable relief.

#### Sub-Measure 1b:

By FY 2022, TBD% of FEPA's resolutions contain targeted, equitable relief.

#### Performance Measure 2 for Outcome Goal I.A:

In each year through 2022, EEOC continues to favorably resolve at least 90% of enforcement lawsuits.

#### Performance Measure 3 for Outcome Goal I.A:

Each year through 2022, EEOC reports on its efforts to identify and resolve systemic discrimination.

#### Performance Measure 4 for Outcome Goal I.A:

By FY 2022, TBD% of federal agencies subject to oversight activities or compliance reviews change their employment practices based on EEOC's recommendations.

#### Performance Measure 5 for Outcome Goal I.B:

By FY 2022, a significant proportion of investigations, conciliations, hearings, and appeals meet established quality criteria.

#### Sub-Measure 1a:

By FY 2022, TBD% of charge investigations and conciliations meet criteria established in the Quality Enforcement Practices Plan.

#### Sub-Measure 1b:

By FY 2022, TBD% of federal sector hearings and appeals meet criteria established in the Federal Sector Quality Practices Plan.

### STRATEGIC OBJECTIVE II

Prevent employment discrimination and promote inclusive workplaces through education and outreach

#### Performance Measure 6 for Outcome Goal II.A. and II.B:

By FY 2022, EEOC modernizes and expands utilization of technology to ensure the public has greater access to information about their rights and responsibilities.

#### Performance Measure 7 for Outcome Goal II.A. and II.B:

By FY 2022, EEOC leverages collaborations with significant partner organizations to assist in breaking employment barriers.

#### Performance Measure 8 for Outcome Goal II.A:

By FY 2022, EEOC updates existing guidance and training materials, and creates new, user-friendly resource tools to address and prevent workplace discrimination.

### MANAGEMENT OBJECTIVE

Achieve organizational excellence.

#### Performance Measure 9 for Outcome Goal III.A:

EEOC performance improves with respect to employee engagement and inclusiveness.

#### Performance Measure 10 for Outcome Goal III.A:

Feedback surveys and other mechanisms provide baseline measures of services provided to those with whom EEOC interacts.

#### Performance Measure 11 for Outcome Goal III.B:

Yearly progress on modernization of charge/case management systems for program offices until completed in 2021.

#### Performance Measure 12 for Outcome Goal III.B:

The budget process prioritizes funding for EEOC's strategic goals.

## STRATEGIC OBJECTIVE I

### COMBAT AND PREVENT EMPLOYMENT DISCRIMINATION THROUGH THE STRATEGIC APPLICATION OF EEOC'S LAW ENFORCEMENT AUTHORITIES

Strategic Objective I, to combat and prevent employment discrimination through the strategic application of EEOC's law enforcement authorities, reflects the EEOC's primary mission of preventing unlawful employment discrimination through: 1) the administrative (investigation and conciliation) and litigation enforcement mechanisms Congress has entrusted the agency with in regard to private employers, labor organizations, employment agencies, and state and local government employers; and 2) the adjudicatory and oversight mechanisms Congress has entrusted the agency with in regard to federal employers.

There are two outcome goals for Strategic Objective I:

**Outcome Goal I.A:** Discriminatory employment practices are stopped and remedied, and victims of discrimination receive meaningful relief; and

**Outcome Goal I.B:** Enforcement authorities are exercised fairly, efficiently, and based on the circumstances of each charge or complaint.

The EEOC received more than 90,000 individual private sector charges of discrimination<sup>i</sup> and more than 12,000 federal sector requests for hearings and appeals in FY 2016.<sup>ii</sup> The persistently large number of individual charges of discrimination and federal sector requests for hearings and appeals that the EEOC receives has, for years, required the agency to think strategically about targeting its resources to ensure the strongest impact possible in its efforts to stop unlawful employment discrimination.

In 1995, the Commission adopted Priority Charge Handling Procedures (PCHP) to categorize and expedite the handling of its charge inventory and to allow the agency to focus its resources on strategic enforcement. Of key importance, the PCHP revoked an approach of "full investigation" under which Commission staff fully investigated every charge without making a preliminary assessment of the potential merits of the charge. A year later, in 1996, the Commission adopted a National Enforcement Plan (NEP) and required District Offices to develop Local Enforcement Plans. These plans reviewed EEOC charge data, reassessed national and local enforcement needs, and set substantive priorities for equal employment law enforcement at both the national and local levels. The NEP worked in tandem with the PCHP so that agency investigators and litigators could focus their resources strategically.

The National Enforcement Plan also delegated authority to the General Counsel to initiate litigation without the express vote of the Commission, except in limited circumstances.

Building on the National Enforcement Plan, in 2000, the Commission developed a Comprehensive Enforcement Program that created best practices for the internal workings of the agency.

In 2006, the Commission adopted its Systemic Initiative, now known as its Systemic Program. This Initiative made the identification, investigation, and litigation of systemic discrimination cases —

Strategic Objective I  
... reflects the EEOC's  
primary mission of  
preventing unlawful  
employment  
discrimination ...





EEOC has seen real progress in the coordination of its enforcement and guidance efforts and in the development of the law on several priority issues...

pattern or practice, policy, and/or class cases where the alleged discrimination has a broad impact on an industry, profession, company, or geographic area — a top priority. The Systemic Initiative also ensured that the EEOC had a coordinated, strategic, and effective approach to such cases. The Initiative required the agency to effectively use its administrative and litigation tools — including Commissioner Charges, directed investigations, and the strategic use of empirical data — to identify and stop discriminatory policies and other instances of systemic discrimination.

In December 2012, the Commission issued a Strategic Enforcement Plan (SEP) for Fiscal Years 2013–2016 as a successor to the 1996 NEP. The Commission revised its Strategic Enforcement Plan in 2017.<sup>iii</sup> Both SEPs established substantive area priorities and set forth strategies to integrate all components of EEOC’s private, public, and federal sector enforcement to have a sustainable impact in advancing equal opportunity and freedom from discrimination in the workplace. The first SEP resulted in increased focus by staff on the substantive area priorities and enhanced collaboration among staff. EEOC has seen real progress in the coordination of its enforcement and guidance efforts and in the development of the law on several priority issues such as background screens that adversely affect racial and ethnic communities and leave policies that discriminate against workers with disabilities. As part of its integrated approach under the SEP, EEOC has taken proactive steps to ensure consistent policies and positions in the private and federal sectors.

The SEP for Fiscal Years 2017–2021 again focuses efforts on those activities likely to advance equal opportunity and freedom from discrimination in the workplace. The SEP recognizes that to be effective as a national law enforcement agency, the Commission must focus on those activities that have strategic impact. The Commission defines strategic impact as a significant effect on the development of the law or on promoting compliance across a large organization, community, or industry. The significance of an issue and the potential outcome determine strategic impact, in addition to the number of individuals affected. This focus requires the EEOC to shift attention in certain areas and to reduce resources spent on activities that may not have strategic impact.

As underscored in the report, *Advancing Opportunity — A Review of the Systemic Program of the U.S. Equal Employment Opportunity Commission*, systemic investigations and lawsuits typically have strategic impact because they address significant legal issues or policies, or have a wide influence on an industry, occupation, or geographic area.<sup>iv</sup> The SEP reaffirmed the Commission’s commitment to a nationwide, strategic, and coordinated systemic program as one of EEOC’s top priorities.

The SEP also recognizes that an individual charge or case can have strategic impact, as defined above. Effective strategic enforcement includes a balance of individual and systemic cases, and of national and local issues, recognizing that each may have strategic impact in varied ways.

The new SEP continues the same substantive area priorities identified by the Commission in the first SEP, with some changes to sharpen the agency’s focus and update emerging issues of concern. The plan clarifies the way the SEP substantive area priorities will be integrated into EEOC’s charge management system, the PCHP. It also reaffirms the importance of strengthening the integration of staff efforts across programs and offices and ensuring accountability to operate as “One EEOC.” These efforts are essential to ensure that the agency’s resources are leveraged most effectively.



The EEOC's strategies for achieving Outcome Goal I.A are:

**Strategy I.A.1:** Rigorously and consistently implement the Strategic Enforcement Plan to focus resources on EEOC priorities and to integrate agency responsibilities and activities.

**Strategy I.A.2:** Use administrative and litigation mechanisms to identify and attack discriminatory policies and practices, including systemic practices.

**Strategy I.A.3:** Use EEOC decisions and oversight activities to target discriminatory policies and practices in federal agencies.

**Strategy I.A.4:** Seek remedies to end discriminatory practices and deter future discrimination.

**Strategy I.A.5:** Seek remedies that provide meaningful relief to individual victims of discrimination.

The strategies for achieving Outcome Goal I.B are:

**Strategy I.B.1:** Rigorously and consistently implement the Strategic Enforcement Plan to focus resources on EEOC priorities and to integrate agency responsibilities and activities.

**Strategy I.B.2:** Rigorously and consistently implement the charge management systems for private sector and state and local government charges.

**Strategy I.B.3:** Further develop and rigorously and consistently implement a case management system for federal sector hearings and appeals.

The Commission has developed four performance measures, two of which have corresponding sub-measures, to track its progress achieving its outcome goals. One of the performance measures tracks the performance of its state and local partners.

**Performance Measure 1 for Outcome Goal I.A:** By FY 2022, a significant proportion of EEOC and FEPA resolutions contain targeted, equitable relief.

**Sub-Measure 1a:** By FY 2022, at least TBD percent of EEOC resolutions contain targeted, equitable relief.

<b>FY 2018</b>	80–82% (preliminary figure, may need refinement).
<b>FY 2019</b>	Increase targets to TBD %.
<b>FY 2020</b>	Increase targets to TBD %.
<b>FY 2021</b>	Increase targets to TBD %.
<b>FY 2022</b>	Increase targets to TBD %.



**Sub-Measure 1b:** By FY 2022, at least TBD percent of FEPA resolutions contain targeted, equitable relief.

<b>FY 2018</b>	15–17%.
<b>FY 2019</b>	Increase targets to TBD %.
<b>FY 2020</b>	Increase targets to TBD %.
<b>FY 2021</b>	Increase targets to TBD %.
<b>FY 2022</b>	Increase targets to TBD %.

An important activity undertaken by both the EEOC and state and local FEPAs is negotiating resolutions of charges after an investigation has determined that there is reasonable cause to believe that unlawful employment discrimination has occurred. It is neither appropriate nor feasible to set a target for the number of reasonable cause determinations the agency makes, because every investigation is dependent on the facts of the case. However, it is appropriate to set a goal for the type of relief that should be sought in resolutions of cases once reasonable cause has been found.

Both sub-measures under Performance Measure 1 are designed to encourage the EEOC and the FEPAs to seek relief in these cases that goes beyond monetary damages for individual victims of discrimination. The measure for FEPAs also recognizes that with differences in their administrative procedures, other types of resolutions where targeted, equitable relief is secured should be included. While it is important that the EEOC and FEPAs seek meaningful relief for individuals, the ultimate interest of the Commission must be to protect all employees and job-seekers from unlawful discriminatory practices.

Targeted, equitable relief means any non-monetary and non-generic relief (other than the posting of notices in the workplace about the case and its resolution), which explicitly addresses the discriminatory employment practices at issue in the case, and which provides remedies to the aggrieved individuals or prevents similar violations in the future. Such relief may include customized training for supervisors and employees, development of policies and practices to deter future discrimination, and external monitoring of employer actions, as appropriate.

**Performance Measure 2 for Outcome Goal I.A:** In each year through 2022, EEOC favorably resolves at least 90 percent of the agency's enforcement lawsuits.

<b>FY 2018</b>	90%.
<b>FY 2019</b>	90%.
<b>FY 2020</b>	90%.
<b>FY 2021</b>	90%.
<b>FY 2022</b>	90%.

Performance Measure 2 places a premium on maintaining the high level of successful resolutions in our litigation program. Successful resolutions include cases decided by favorable court order and those concluded through a consent decree or a settlement agreement in litigation. Achieving

success on this measure will ensure that we continue to exercise our prosecutorial discretion responsibly, while allowing us to take on challenging issues and litigate complex cases, including cases of systemic discrimination. As stated in the SEP, effective strategic enforcement includes a balance of individual and systemic cases, and of those involving national and local priority issues, recognizing that each may have strategic impact in varied ways. This measure is significant because the achievement of success in cases raising priority issues under the Strategic Enforcement Plan is often challenging and resource-intensive, especially in cases involving emerging or developing issues and systemic cases. Our goal for this measure is to reach and when possible exceed our ambitious targets through FY 2022.

**Performance Measure 3 for Outcome Goal I.A:** Each year through 2022, EEOC reports on its efforts to identify and resolve systemic discrimination.

<b>FY 2018</b>	Report issued.
<b>FY 2019</b>	Report issued.
<b>FY 2020</b>	Report issued.
<b>FY 2021</b>	Report issued.
<b>FY 2022</b>	Report issued.

This performance measure recognizes that systemic investigations and lawsuits typically have strategic impact because they address instances where the alleged discrimination has a broad impact on an industry, occupation, business, or geographic area. Performance Measure 3 focuses on the use and reporting of data to ensure the EEOC has a coordinated, strategic, and effective approach to systemic enforcement. To track our progress in identifying and resolving systemic discrimination, this performance measure will require that the EEOC maintain data and report annually on the overall number of systemic cases filed in the fiscal year; the percentage of cases filed in the fiscal year that are systemic cases; the percentage of systemic cases on the agency's overall docket; and the number of ongoing systemic investigations by bases and issues and the percentage of all pending investigations that are systemic investigations.

**Performance Measure 4 for Outcome Goal I.A:** By FY 2022, TBD percent of federal agencies subject to oversight activities or compliance reviews change their employment practices based on EEOC's recommendations.

<b>FY 2018</b>	Establish a baseline and project future targets.
<b>FY 2019</b>	Increase targets to TBD%.
<b>FY 2020</b>	Increase targets to TBD%.
<b>FY 2021</b>	Increase targets to TBD%.
<b>FY 2022</b>	Increase targets to TBD%.

As stated in the SEP, effective strategic enforcement includes a balance of individual and systemic cases, and of those involving national and local priority issues...



...the promotion of equal employment opportunity in the federal government can positively impact all employees and job-seekers.

Performance Measure 4 recognizes that because the federal government is the largest employer in the United States, reducing unlawful employment discrimination in the federal sector is an integral part of combatting employment discrimination. Moreover, as the largest employer in the United States, the federal government has tremendous influence over the employment practices of private and public employers in the United States and around the world. Thus, the promotion of equal employment opportunity in the federal government can positively impact all employees and job-seekers.

In FY 2018, the EEOC will conduct several on-site program evaluations of federal agencies in priority areas that have been identified through the integrated data system and will issue compliance plans that recommend changes in their employment practices. These plan recommendations will include steps that federal agencies can take to correct any discriminatory practices. The EEOC will review the compliance plans issued in FY 2018 to determine if they have been implemented successfully, and if not, what corrective action should be taken. Based on the EEOC's assessment of compliance, a baseline for the number or percent of agencies successfully changing practices will be established for the out years.

**Performance Measure 5 for Outcome Goal I.B:** By FY 2022, a significant proportion of investigations, conciliations, hearings, and appeals meet established quality criteria.

**Sub-Measure 1a:** By FY 2022, TBD percent of charge investigations and conciliations meet criteria established in the Quality Enforcement Practices Plan.

<b>FY 2018</b>	86%.
<b>FY 2019</b>	Increase targets to TBD%.
<b>FY 2020</b>	Increase targets to TBD%.
<b>FY 2021</b>	Increase targets to TBD%.
<b>FY 2022</b>	Increase targets to TBD%.

**Sub-Measure 1b:** By FY 2022, TBD percent of federal sector hearings and appeals meet criteria established in the Federal Sector Quality Practices Plan.

<b>FY 2018</b>	Establish a baseline and project future targets based on the Federal Sector Quality Practices Plan.
<b>FY 2019</b>	Increase targets to TBD%.
<b>FY 2020</b>	Increase targets to TBD%.
<b>FY 2021</b>	Increase targets to TBD%.
<b>FY 2022</b>	Increase targets to TBD%.

Performance Measure 5 builds on the EEOC's previous Strategic Plan with a metric focused on quality in both the private and federal sector programs. In September 2015, the Commission approved a plan for Quality Enforcement Practices for Effective Investigations and Conciliations (formerly the Quality Control Plan) and known as the QEP. The QEP promotes the rigorous

implementation of quality investigations and conciliations with progress goals established for each year of the Plan. In FY 2016, EEOC applied the criteria established under the QEP to a sample of investigations and conciliations to establish benchmarks for offices to use in fiscal year 2017. In FY 2018, we will use those benchmarks to project future targets.

Performance Measure 5 also provides targets for quality work in the federal sector. The Federal Sector Quality Practices (FSQP) (formerly the Federal Sector Quality Control Plan) was approved by the Commission on January 10, 2017, and includes quality components for hearings and appeals. The FSQP also includes quality criteria for the Commission's oversight of federal agencies when reviewing affirmative employment and barrier analysis plans, evaluating federal agency complaint processes, and offering technical assistance to federal agencies. During FY 2018, the agency will collect baseline data on the quality criteria set forth in the FSQP, in a manner similar to what was done to implement the QEP. Following the collection of baseline data based on hearings and appeals file reviews and federal agency compliance reviews, the agency will establish benchmarks for FY 2019 and out years.

The EEOC's further development and rigorous implementation of a case management system in the federal sector, pursuant to Strategy I.B.3, is an important element in ensuring quality results in hearings and appeals. The Commission will explore the possibility of refining case management systems to provide, under current regulations, for the categorization of federal sector cases based on strength of the evidence. Through this performance measure, the agency will ensure that hearings and appeals are appropriately categorized and prioritized so that resources are allocated efficiently to address the matter based on the type of case.



Strategic Objective II ... reflects the EEOC's obligation to deter employment discrimination before it occurs.

All parties benefit when the workplace is free of discrimination and everyone has access to equal employment opportunity.

## STRATEGIC OBJECTIVE II

### PREVENT EMPLOYMENT DISCRIMINATION THROUGH EDUCATION AND OUTREACH

In Title VII, Congress expressly required the agency to engage in education and outreach activities, including providing training and technical assistance, for those with rights and responsibilities under employment antidiscrimination laws. Strategic Objective II, to prevent employment discrimination through education and outreach, reflects the EEOC's obligation to deter employment discrimination before it occurs. Investigations, conciliations, and litigation are only some of the means that EEOC uses to fulfill its mission and vision. Educational and outreach programs, projects, and events are also cost effective law enforcement tools because they promote understanding of the law and voluntary compliance with the law. All parties benefit when the workplace is free of discrimination and everyone has access to equal employment opportunity.

There are two outcome goals for Strategic Objective II:

**Outcome Goal II.A:** Members of the public understand the employment discrimination laws and know their rights and responsibilities under these laws; and

**Outcome Goal II.B:** Employers, unions, and employment agencies (covered entities) prevent discrimination, effectively address EEO issues, and support more inclusive workplaces.

The EEOC targets its education and outreach program to individuals who historically have been victims of employment discrimination. The Commission also provides outreach and education to particularly vulnerable communities that may be unfamiliar with our laws, such as those who are new to the workforce or low-skilled workers and new immigrants. Moreover, it is important for the agency to provide technical assistance to underserved segments of the employer community, including small and new businesses. Given their size and limited resources, such businesses are often less able to take advantage of the EEOC's training programs and are less likely to have in-house human resources professionals to assist them with compliance. In FY 2017, the agency's Small Business Task Force launched a comprehensive website and published numerous resource documents for the use of small employers. It is clear, however, that additional efforts are needed to reach small and new businesses.

The EEOC has a robust education and outreach program that focuses on both free and fee-based opportunities. In FY 2016, the EEOC provided free training on rights and responsibilities under its statutes to more than 315,000 workers, employers, and their representatives and advocates. In the same year, the EEOC Training Institute trained over 14,000 fee-paying individuals at more than 200 events, including 30 Technical Assistance Program Seminars (TAPS). The one- and two-day TAPS, attended by over 5,100 participants, are responsive to employers' information and training needs. Through the TAPS, the EEOC educated employers and employees about their respective rights and obligations, and provided detailed information about identifying and preventing workplace discrimination. In FY 2018, the EEOC began offering training on Respectful Workplaces that takes a fresh look at the persistent and pervasive problem of workplace harassment and identifies new ways to prevent it.

The EEOC often cooperates with other departments and agencies in the performance of educational and outreach activities. The state and local FEPAs are important partners in this regard, as are the Department of Labor's Office of Federal Contract Compliance Programs and the Department of Justice's Civil Rights Division.

EEOC's efforts to strengthen and target its education and outreach activities also includes digital technology advances and social media presence. The EEOC's current website provides critical educational materials, including information on the laws that the agency enforces, the private sector charge and federal sector complaint processes, and various research publications. Moreover, the agency is engaged in an ongoing effort to make its website more user-friendly and accessible. This Plan emphasizes the need to leverage digital technology to directly reach the agency's varied and wide-ranging audiences—employees, job-seekers, employers, unions, employment agencies, attorneys, judges, issue advocates, and policymakers. In addition, the EEOC will seek to enhance its use of social media to promote its education and outreach activities and to encourage greater use of the contents of its website.

With a continued focus on providing clear, easy-to-understand materials for our diverse array of audiences, this Plan also provides that EEOC will conduct a full review of its sub-regulatory documents and update or augment them as needed with plain language materials.

The agency will employ seven strategies for achieving the goals of Strategic Objective II, including two correlated strategies designed to support both outcome goals under this objective:

The EEOC's strategies for achieving Outcome Goal II.A are:

**Strategy II.A.1:** Broaden the use of technology to expand our reach to diverse populations.

**Strategy II.A.2:** Target outreach to vulnerable workers and underserved communities.

The strategies for achieving Outcome Goal II.B are:

**Strategy II.B.1:** Utilize modern technology and media to expand our reach to employers and other covered entities.

**Strategy II.B.2:** Offer recommendations that employers can adopt to prevent discrimination in the workplace.

**Strategy II.B.3:** Target outreach to small and new employers.

Correlated strategies under Strategic Objective II include:

**Strategy II.A.3/II.B.4:** Provide up-to-date, accessible guidance and training on the requirements of employment discrimination laws.

**Strategy II.A.4/II.B.5:** Increase the knowledge of targeted audiences through focused, innovative collaborations with internal and external stakeholders.

The Commission has developed three performance measures to track its progress in achieving these outcomes.

In FY 2018, the EEOC began offering training on Respectful Workplaces that takes a fresh look at the persistent and pervasive problem of workplace harassment and identifies new ways to prevent it.





**Performance Measure 6 for Outcome Goal II.A. and II.B:** By FY 2022, EEOC modernizes and expands utilization of technology to ensure that members of the public have greater access to information about their rights and responsibilities.

<b>FY 2018</b>	Design and implement a technology plan for increased public access to information including needs assessment and baseline measures of public access.  Utilize government best practices to collect metrics from its digital services to establish baseline measurement(s) of the public's use of technology to access information from the Agency.  The Agency annually will set goals for increasing the information accessed in general, and specifically on priority topics and to specific communities.
<b>FY 2019</b>	Explore the use of surveys to measure the customer experience and usefulness of its digital services, and to solicit ideas for improvements. Identify processes and implement a pilot project to increase access to information in at least two priority areas. Report on progress.
<b>FY 2020</b>	Implement customer experience surveys. Identify and increase access to information in at least two additional priority areas.
<b>FY 2021</b>	Report on customer experience surveys. Identify and increase access to information in at least two additional priority areas.
<b>FY 2022</b>	Report on customer experience surveys. Identify and increase access to information in at least two additional priority areas.

Performance Measure 6 focuses on strengthening and expanding the impact of EEOC's education and outreach activities by expanding use of technology. The implementation of a technology plan created in FY 2018 will better facilitate the dedication of resources to the most critical needs. The EEOC also will focus its technological advances on priority areas and specific communities to increase public access to information about rights and responsibilities under the laws the EEOC enforces.

**Performance Measure 7 for Outcome Goal II.A. and II.B:** By FY 2022, EEOC leverages collaborations with significant partner organizations to assist in reducing and eliminating employment barriers.

<b>FY 2018</b>	Establish baseline statistics and measures for assessing the success of collaborations.
<b>FY 2019</b>	Increase baseline measures by TBD %.
<b>FY 2020</b>	Conduct program evaluation to assess impact of these partnerships on employment in targeted communities. Reset baseline if needed.
<b>FY 2021</b>	Maintain or increase baseline measures by TBD %.
<b>FY 2022</b>	Maintain or increase baseline measures by TBD %.



Under the prior Strategic Plan, the Commission's outreach and education efforts were in part measured by the number of sustained partnerships established and maintained with organizations that represented (1) vulnerable or underserved communities and (2) small and new businesses.

Performance Measure 7 focuses on leveraging these interactive and sustained partnerships and forges a collaboration with community organizations and businesses that are in the communities we are trying to reach. Moving forward, the Commission does not believe that a focus solely on the number of events held, number of attendees, or number of significant partnerships is the best way to measure its public education impact in an era of constrained resources. Performance Measure 7 therefore leverages our long-term significant partnerships with advocacy groups (particularly those that represent vulnerable or underserved workers) and associations or organizations that represent employers to achieve sustained benefits for the communities we serve.

The EEOC is in a unique position to serve as a conduit to promote effective partnerships and to strengthen relationships among diverse groups with common goals. As a result, we believe we can facilitate effective interactions that can lead to reducing or eliminating employment barriers. For example, connecting an employer association with an advocacy group seeking to eliminate recruitment and hiring barriers may help to prevent discrimination and create job opportunities for qualified job seekers.

In FY 2018, the agency will assess each office's needs and capabilities as part of setting overall targets for the agency. Thereafter, the agency will set a baseline for measuring the success of leveraging the collaborations with significant partnerships, followed by a to-be-determined (TBD) increase in the targets for each subsequent year of the Plan.

In FY 2020, the agency will conduct a program evaluation to determine the impact of these partnerships on vulnerable or underserved communities. The evaluation will require the design and creation of relevant databases and measures that can be used to evaluate the effectiveness of the partnerships.

**Performance Measure 8 for Outcome Goal II.A:** By FY 2022, EEOC updates existing guidance and training materials, and creates new, user-friendly resource tools to address and prevent workplace discrimination.

<b>FY 2018</b>	Conduct a review of currently available EEOC guidance and resource materials to determine which documents or materials require updates or creation. Establish a priority list.
<b>FY 2019</b>	Produce or update at least two resource or guidance documents on priority list.
<b>FY 2020</b>	Produce or update at least two additional resource or guidance documents on priority list. Reconfirm or reorder priorities.
<b>FY 2021</b>	Produce or update at least two resource or guidance documents on updated priority list.
<b>FY 2022</b>	Produce or update at least two additional resource or guidance documents on updated priority list.

The EEOC is in a unique position to serve as a conduit to promote effective partnerships and to strengthen relationships among diverse groups with common goals.



Performance Measure 8 will ensure that the EEOC's sub-regulatory guidance documents and resource materials are reviewed and that, where necessary, they are updated and use plain language. The target for FY 2018 is to assess the status of current resources, identify necessary updates, and establish a schedule that prioritizes those most critical for action. The agency's enforcement work in the private sector, its adjudicatory and oversight work in the federal sector, and its outreach and education work all depend on the availability of up-to-date and accessible materials explaining the laws it enforces and how to comply with them. While the regulations issued by the Commission set the basic legal framework for the implementation of those laws, sub-regulatory materials, including the EEOC's Compliance Manual, provide more tangible assistance to those with rights and responsibilities under such laws. These materials may or may not require a vote of the Commission and may include a range of guidance material, best practices, Q&A's, and fact sheets.

## MANAGEMENT OBJECTIVE

The EEOC's Management Objective, achieving organizational excellence, seeks to improve management functions with a focus on information technology, infrastructure enhancement, and accountable financial stewardship. These areas are cross-cutting and require integration and coordination to foster organizational excellence from internal and external perspectives.

Much of this objective is operational in nature and may be addressed in greater detail in plans external to the Strategic Plan; this does not, however, diminish the objective's importance. The EEOC cannot accomplish Strategic Objectives I and II without ensuring excellence in its staff and infrastructure. In recognition of this, and to ensure the agency is held accountable for improving its operations where necessary, the Commission is including Organizational Excellence as a management objective in its Strategic Plan.

The Commission has developed two outcome goals for its Management Objective:

**Outcome Goal III.A:** Staff exemplify a culture of excellence, respect, and accountability; and

**Outcome Goal III.B:** Resource allocations align with priorities to strengthen outreach, education, enforcement, and service to the public.

There are 10 strategies for achieving the goals of EEOC's Management Objective:

The agency's strategies for achieving Outcome Goal III.A are:

**Strategy III.A.1:** Recruit, develop, and retain skilled and committed employees.

**Strategy III.A.2:** Advance performance management to maximize organizational improvement.

**Strategy III.A.3:** Advance diversity and inclusion in the workplace.

**Strategy III.A.4:** Develop and support innovation and collaboration to advance employee engagement and morale.

**Strategy III.A.5:** Continuously implement quality practices in all programs.

**Strategy III.A.6:** Foster constructive employee and labor management relations.

**Strategy III.A.7:** Strive to model the workplace practices EEOC promotes.

The three strategies for achieving Outcome Goal III.B are:

**Strategy III.B.1:** Embrace and invest in technology to transform the way the EEOC serves the public and to improve productivity.

**Strategy III.B.2:** Expand the use of data and technology to support, evaluate, and improve the agency's programs and processes.

The EEOC cannot accomplish Strategic Objectives I and II without ensuring excellence in its staff and infrastructure.



**Strategy III.B.3:** Prioritize and actively manage available fiscal resources to best achieve the agency's mission.

There are four performance measures to support these strategies.

**Performance Measure 9 for Outcome Goal III.A:** EEOC performance improves with respect to employee engagement and inclusiveness.

<b>FY 2018</b>	Conduct annual focus groups with employees and climate assessments to obtain feedback on agency culture. Establish baseline EEOC FEVS scores for employee engagement and inclusiveness quotient against comparable government agency averages based on 3–5-year trend analysis. Establish and implement plans to maintain or increase FEVS scores in relation to comparable government agency averages.
<b>FY 2019</b>	Conduct annual focus groups with employees and climate assessments to obtain feedback on agency culture. EEOC FEVS scores for employee engagement and inclusiveness will maintain or increase in relation to the prior-to-current year changes in comparable government agency averages. Develop and adjust action plans, as necessary, in response to focus group feedback and prior year FEVS results.
<b>FY 2020</b>	Conduct annual focus groups with employees and climate assessments to obtain feedback on agency culture. EEOC FEVS scores for employee engagement and inclusiveness will maintain or increase in relation to the prior-to-current year changes in comparable government agency averages. Develop and adjust action plans, as necessary, in response to focus group feedback and prior year FEVS results.
<b>FY 2021</b>	Conduct annual focus groups with employees and climate assessments to obtain feedback on agency culture. EEOC FEVS scores for employee engagement and inclusiveness will maintain or increase in relation to the prior-to-current year changes in comparable government agency averages. Develop and adjust action plans, as necessary, in response to prior year FEVS results.
<b>FY 2022</b>	Conduct annual focus groups with employees and climate assessments to obtain feedback on agency culture. EEOC FEVS scores for employee engagement and inclusiveness will maintain or increase in relation to the prior-to-current year changes in comparable government agency averages. Develop and adjust action plans, as necessary, in response to prior year FEVS results.

Performance Measure 9 takes a holistic approach to assessing and strengthening the agency's efforts to improve employee engagement and inclusiveness. We do not focus solely on improving FEVS scores because that is only one snapshot of agency performance. Annual focus groups and climate assessments will enable an ongoing feedback mechanism to engage with staff and seek their input on solutions to agency challenges.

In the government-wide 2016 FEVS results for medium size agencies, EEOC had one of the largest increases in scores on the Employee Engagement Index and the Inclusiveness Quotient (IQ) Index compared to the prior year. For Global Satisfaction, EEOC scores well-exceeded federal government averages in the following areas: global satisfaction (five points), job satisfaction (six points), organization satisfaction (seven points), pay satisfaction (three points), and “recommend agency” (one point). EEOC’s success on the 2016 FEVS was due to several factors such as its leadership improving in “generating high levels of motivation and commitment in the workforce.” Specifically, there was improvement in “communication of goals and priorities,” “information provided to different work units,” and “employee satisfaction with information.” Another factor was the work of the Building Employee Satisfaction Together (BEST) workgroup, comprised of representatives from offices with the five highest and five lowest FEVS scores, which implemented an agency-wide campaign targeting 16 survey areas for improvement. The BEST workgroup will be charged with conducting the employee focus groups and climate assessments.

#### **Performance Measure 10 for Outcome Goal III.A:**

Feedback surveys and other mechanisms provide baseline measures of services provided to those with whom EEOC interacts.

<b>FY 2018</b>	Develop and implement feedback surveys and other mechanisms to obtain data and set baselines for various services, such as Online Charge Status, the EEOC Public Portal, and the Digital Charge System. Review the results at the end of the fiscal year to set targets for next year.
<b>FY 2019</b>	Continue to implement feedback surveys and other mechanisms, adjusting the measures and targets, as necessary. Set goals for improvement or maintenance at the beginning of each fiscal year and review results at the end.
<b>FY 2020</b>	Continue to implement feedback surveys and other mechanisms, adjusting the measures and targets, as necessary. Set goals for improvement or maintenance at the beginning of each fiscal year and review results at the end.
<b>FY 2021</b>	Continue to implement feedback surveys and other mechanisms, adjusting the measures and targets, as necessary. Set goals for improvement or maintenance at the beginning of each fiscal year and review results at the end.
<b>FY 2022</b>	Continue to implement feedback surveys and other mechanisms, adjusting the measures and targets, as necessary. Set goals for improvement or maintenance at the beginning of each fiscal year and review results at the end.

Performance Measure 10 focuses on obtaining feedback on services provided to the public. It also supports the goal of obtaining and evaluating feedback from the targeted audiences the Commission serves to allow better measurement of the agency’s service delivery and increased accessibility. As identified in the agency’s Research and Data Plan, EEOC recognizes the importance of examining the effectiveness of the Commission’s work, particularly the efficacy of outreach, education, guidance, and technical assistance documents. ([https://www.eeoc.gov/eeoc/plan/research\\_data\\_plan.cfm](https://www.eeoc.gov/eeoc/plan/research_data_plan.cfm), Section III. 6.)

EEOC had one of the largest increases in scores on the Employee Engagement Index and the Inclusiveness Quotient (IQ) Index compared to the prior year.



The benefits of such modernization include improved collaboration and knowledge sharing ... allowing a more mobile workforce ... [s]treamedlined services and increased responsiveness to customers...

**Performance Measure 11 for Outcome Goal III.B:** Monitor yearly progress on modernization of charge/case management systems for program offices until completed in 2022.

<b>FY 2018</b>	The agency completes a shared vision and develops high-level plans with resource requirements for modernizing the charge/case management systems for agency. Collect data and establish a baseline for the number of charges (private) and cases (federal) for which no paper records are required, i.e., fully digital. Report on progress at year's end and adjust the plan, as necessary.
<b>FY 2019</b>	Set goals for increasing the number/percentage of fully digital charge and case files from FY 2019–2022. Report on progress quarterly and adjust the plan, as necessary.
<b>FY 2020</b>	Report on progress quarterly and adjust the plan, as necessary.
<b>FY 2021</b>	Report on progress quarterly and adjust the plan, as necessary.
<b>FY 2022</b>	Report on progress quarterly and adjust the plan, as necessary.

Performance Measure 11 allows the agency to track and assess progress on migration to a fully digital charge/complaint environment. The benefits of such modernization include improved collaboration and knowledge sharing, enhanced data integrity, reduced paper file storage or manual archiving/disposition requirements, and allowing a more mobile workforce. Streamlined services and increased responsiveness to customers throughout the process will be regularly evaluated.

Completing the modernization of EEOC's charge/case management system also will help the agency in mitigating risks identified in its Enterprise Risk Management protocols. The agency concluded the possible inadvertent release of Sensitive Personally Identifiable Information (SPII) data is its highest risk. Managing this risk requires the agency to maintain the security of confidential information and SPII contained in private sector investigative files with the most modern and effective digital systems.

**Performance Measure 12 for Outcome Goal III.B:** The budget process prioritizes funding for EEOC's strategic goals.

<b>FY 2018</b>	As part of an overall increase in budget development transparency, produce an annual congressional budget justification and operating plan that reflects strategic enforcement and management priorities as approved by agency head. Meet all submission deadlines.
<b>FY 2019</b>	As part of an overall increase in budget development transparency, produce an annual congressional budget justification and operating plan that reflects strategic enforcement and management priorities as approved by agency head. Meet all submission deadlines.
<b>FY 2020</b>	As part of an overall increase in budget development transparency, produce an annual congressional budget justification and operating plan that reflects strategic enforcement and management priorities as approved by agency head. Meet all submission deadlines.
<b>FY 2021</b>	As part of an overall increase in budget development transparency, produce an annual congressional budget justification and operating plan that reflects strategic enforcement and management priorities as approved by agency head. Meet all submission deadlines.
<b>FY 2022</b>	As part of an overall increase in budget development transparency, produce an annual congressional budget justification and operating plan that reflects strategic enforcement and management priorities as approved by agency head. Meet all submission deadlines.

At every level within the EEOC, a common understanding of how the strategic priorities direct the work of the agency is necessary for success. The EEOC will achieve this common understanding in various ways, including integrating Strategic Plan goals within performance standards and ensuring that budget submissions from each component office explain how the agency's resources implement the strategies and goals of the Strategic Plan. By developing a strong and clear message for use in budget documents and other publications, the agency demonstrates the nexus between its budget requests, allocations and operating plans and the achievement of its mission and vision.

At every level within the EEOC, a common understanding of how the strategic priorities direct the work of the agency is necessary for success.



Given the above factors, the EEOC will continually assess and prioritize its resources to successfully accomplish its mission over the next four to five years.

## EXTERNAL FACTORS AFFECTING ACHIEVEMENT OF THE STRATEGIC PLAN

Many factors outside the EEOC's control will affect its ability to achieve the objectives set forth in the Strategic Plan. These factors include upcoming budgetary changes, demographic changes in the country, court decisions, passage of new laws, and technological advances. The Commission contemplated the following external factors in drafting this plan.

- **Budgetary Factors.** The Strategic Plan assumes no significant funding increases. Therefore, while budgetary decreases would not change the overall structure of the plan, they would impact how quickly or completely the agency could achieve some of the plan's objectives. Regardless of budgetary changes, the Commission will continue to review available resources and priorities to ensure the appropriate allocation of funds across program areas.
- **Demographic Factors.** Demographic changes in the country, including migration patterns, educational levels of the population, the aging of the population, and the size of the population, as well as economic factors will necessarily impact the EEOC's work. For example, large-scale industry layoffs or other changes may trigger a huge influx of charges, straining staff capacity to timely process or resolve them. Population shifts may result in increased charge receipts at some field offices but budget constraints may not allow for hiring additional staff or shifting workloads among offices. Moreover, as populations shift, the agency may need to reassess the size and location of its offices.
- **Legal Factors.** All federal agencies are impacted by legal changes, but this is particularly true of law enforcement agencies, such as the EEOC. U.S. Supreme Court interpretation of the laws EEOC enforces may require the agency to issue updated guidance and regulations. Moreover, these rulings may impact the substantive priorities adopted by the Commission and/or may result in additional charges being filed with the agency. Also, if new laws under the EEOC's jurisdiction are passed, the implementation of those laws will necessarily affect the substantive priorities of the agency.
- **Technological Factors.** Changes in technology use and requirements will impact how the EEOC interacts with its customers. Increased requirements to combat cybersecurity threats and the need to communicate with a public that increasingly uses mobile and mobile responsive technology will impact plans for technology infrastructure development.

Given the above factors, the EEOC will continually assess and prioritize its resources to successfully accomplish its mission over the next four to five years.



## PROGRAM EVALUATIONS

Program evaluation is an important component of the EEOC's effort to assure that its programs are operating as intended and achieving results. A program evaluation is a thorough examination of program design or operational effectiveness that uses rigorous methodologies and statistical and analytical tools. Evaluations also use expertise internal and external to the agency and the program under review to enhance the analytical perspectives and lend credence to the methodologies employed, the evaluation processes and findings, and any subsequent recommendations.

Independent program evaluations have played an important role in formulating the strategic objectives and performance goals for the new FY 2018–2022 Strategic Plan. They have helped to shape some of the program issues and key focus areas for improvement, thereby increasing the plan's value as a management tool to guide the agency's strategic efforts in attaining overall productivity and program efficiency, effectiveness, and accountability. To that end, EEOC has undertaken the following program evaluations to advance its performance-based management initiatives under the *Government Performance and Results Management Act* (GPRAMA), and to improve the effectiveness of key agency programs. The findings and recommendations in these independent assessments of the agency's programs were used to guide development of its new strategic direction and objectives for the next four to five years.

*Evaluation of EEOC's Strategic Enforcement Plan FY 2013–2016*, U.S. Equal Employment Opportunity Commission (EEOC) Office of Research, Information and Planning, July 2016.

*An Exploratory Evaluation of EEOC's Litigation Activities*, The Urban Institute for the U.S. Equal Employment Opportunity Commission (EEOC) Office of Inspector General, 2015  
<https://oig.eeoc.gov//reports/audit/2015-001-lit>.

*Evaluation of EEOC's Outreach and Education*, The Urban Institute for the U.S. Equal Employment Opportunity Commission (EEOC) Office of Inspector General, 2014 <https://oig.eeoc.gov//reports/audit/2014-003-oe>.

*Urban Institute Evaluation of EEOC's Outcome Measures*, The Urban Institute for the U.S. Equal Employment Opportunity Commission (EEOC) Office of Inspector General. January 2013 <https://oig.eeoc.gov//reports/audit/2012-010-pmev>.

Consistent with the Commission's focus on improving the effectiveness of Government through rigorous evaluation and evidence-based policy initiatives, EEOC will continue to identify appropriate program areas for evaluation during the reporting period of the agency's Strategic Plan for Fiscal Years 2018–2022. This will ensure that its efforts align with the agency's budget and other programmatic priorities. EEOC will assess its progress on an ongoing basis to reaffirm its commitment to fulfilling the agency's mission.



## ACKNOWLEDGMENTS

The process used to develop this update of EEOC's Strategic Plan was a truly collaborative activity, involving a broad cross-section of EEOC employees and incorporating comments from our stakeholders and the public. The Commission extends a very special appreciation to the leaders and members of the Strategic Plan 2018-2022 National Work Group (Appendix A) and would like to acknowledge their extraordinary achievement in completing this plan. We thank them for their thorough engagement with this project over the past year and dedication to the agency's mission and vision.

## APPENDIX A

### STRATEGIC PLAN WORKGROUP

#### Leadership

Cynthia G. Pierre, *Chief Operating Officer and Chief Performance Improvement Officer*

#### Members

Awo Sarpong Ansu,, *Senior Attorney Advisor, Office of Federal Operations*

Dona Bland, *Senior Management and Program Analyst, Office of Research, Information and Planning*

Brett Brenner, *Deputy Director, Office of Communications and Legislative Affairs*

Dexter Brooks, *Associate Director, Office of Federal Operations*

Bryan Burnett, *Chief Information Officer, Office of the Chief Information Officer*

Reuben Daniels, *District Director, Charlotte District, Office of Field Programs*

Grant Doty, *Trial Attorney, St. Louis, Office of General Counsel*

Ronald Edwards, *Acting Director, Office of Research, Information and Planning*

Christine Park-Gonzalez, *Deputy Director, Los Angeles, Office of Field Programs*

Christopher Kuczynski, *Assistant Legal Counsel, Office of Legal Counsel*

Christopher Lage, *Assistant General Counsel, Office of General Counsel*

Colleen Hampton-Lyster, *Special Assistant, Office of (former) Commissioner Yang*

Sharon Masling, *Chief of Staff, Office of Commissioner Feldblum*

Melissa Miller, *Division Director/Appeals B, Office of Federal Operations*

Raj Mohan, *Finance and Systems Services Director, Office of the Chief Financial Officer*

Cathy Ventrell-Monsees, *Special Assistant, Office of the Chair*

Meiju Ong, *Enforcement Supervisor, Seattle Field Office*

Deandrea Peters, *Assistant Director, Training, Office of the Chief Human Capital Officer*

Stanley Petruziak, *Attorney Advisor, Office of Equal Opportunity*

Sharon Shoemaker, *Operations and Policy Specialist, Office of Field Programs*



**Members** *(continued)*

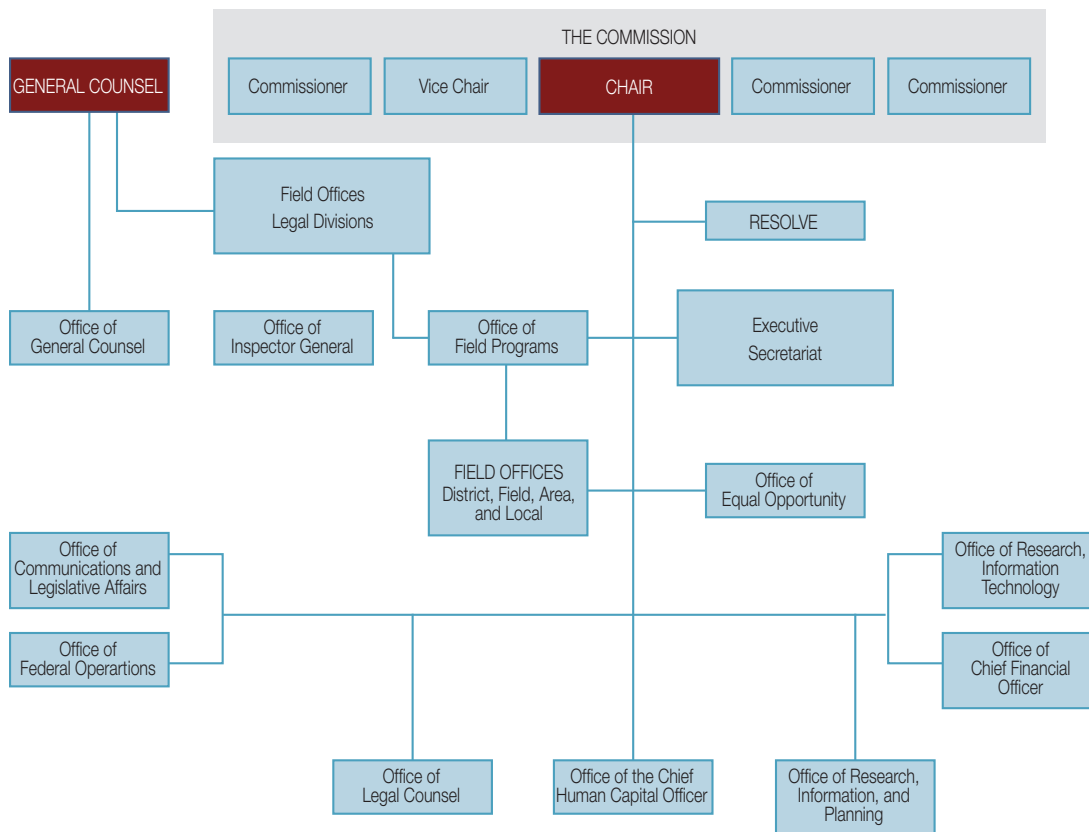
Rachel Shonfield, *1st Vice President, National Council of EEOC Locals No. 216*

Deborah Vagins, *Chief of Staff, Office of Commissioner Burrows*

Jean Watson, *Attorney Advisor, Office of Field Programs*

## APPENDIX B

### ORGANIZATION CHART





## ENDNOTES

<sup>i</sup> U.S. Equal Employment Opportunity Commission, EEOC Enforcement and Litigation Statistics and All Statutes (Charges filed with EEOC), FY 1997–FY 2016, <https://www.eeoc.gov/eeoc/statistics/enforcement/all.cfm>.

*U.S. Equal Employment Opportunity Commission Fiscal Year 2016 Performance and Accountability Report*, <https://www.eeoc.gov/eeoc/plan/upload/2016par.pdf>, p. 35.

<sup>ii</sup> *U.S. Equal Employment Opportunity Commission Fiscal Year 2016 Performance and Accountability Report*, <https://www.eeoc.gov/eeoc/plan/upload/2016par.pdf>, p. 35.

<sup>iii</sup> *U.S. Equal Employment Opportunity Commission Strategic Enforcement Plan FY 2017–2021*, <https://www.eeoc.gov/eeoc/plan/sep-2017.cfm>

<sup>iv</sup> *Advancing Opportunity, A Review of the Systemic Program of the U.S. Equal Employment Opportunity Commission*, <https://www.eeoc.gov/eeoc/systemic/review/>





## U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

131 M Street, N.E.,  
Washington, D.C. 20507-0001  
[www.eeoc.gov](http://www.eeoc.gov)